



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT PLANNING AND DEVELOPMENT**

Application Number: 2402144

Applicant Name: Chris Pickering for Ken Petersen

Address of Proposal: 2900 25th Ave W

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide two (2) parcels into three (3) parcels of land in an Environmentally Critical Area (ECA). Proposed parcel sizes are: A) 6,654.0 square feet; B) 5,880.6 square feet; and C) 6,342.2. The existing structure located on proposed parcels B and C is to be demolished and the existing structure located on parcel A is to remain. At the time of this decision there were no related building permits to this subdivision. A limited steep slope exemption has been approved (Exemption # 2402824).

The following approvals are required:

- **Short Subdivision** - to subdivide two (2) existing parcel into three (3) parcels.
- (Chapter 23.24, Seattle Municipal Code).
- **SEPA Threshold Determination** (Chapter 25.05 SMC)

SEPA DETERMINATION: ☐ Exempt ☒ DNS ☐ MDNS ☐ EIS

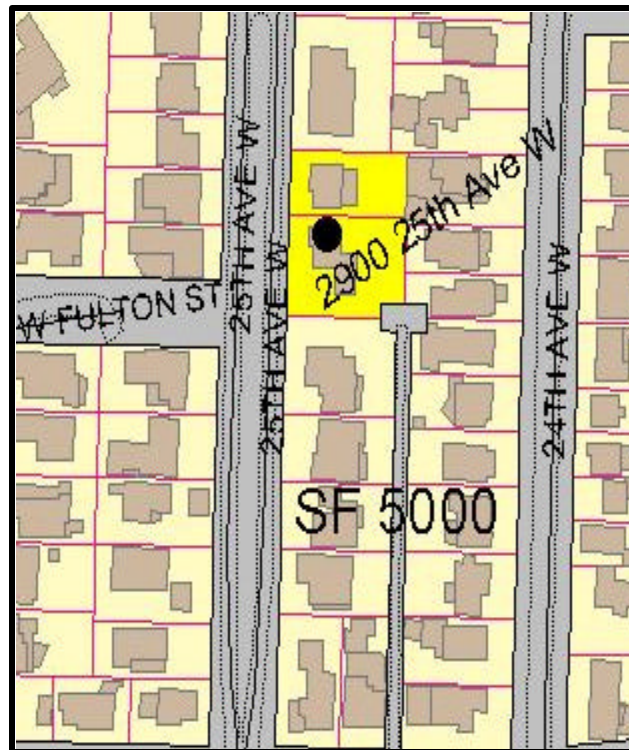
☐ DNS with conditions

☐ DNS involving non-exempt grading or demolition or involving another agency with jurisdiction

BACKGROUND DATA

Site & Area Description

The approximately 18,876 square foot rectangular shaped site is located in a Single Family residential zone with a minimum lot size of 5,000 square feet (SF 5000), in the northwest, Magnolia Neighborhood of Seattle. The parcel is located between 24th & 25th Avenues W north of W Armour St. with street frontage on 25th Ave W, which is paved. 25th Ave W is a boulevard street that is paved with curbs, gutters, and sidewalks on both sides of the street. There are two existing houses on the site, one is to remain on proposed parcel A and the other, located on proposed parcels B and C is to be demolished. The subject lot is sloped; the slope is at the highest elevation near the southwest corner and slopes downward towards the northeast corner of the lot. The steep slope is located on the northeastern and eastern portions of the site. A limited steep slope exemption was granted for the site under MUP No.2402824.



Surrounding properties and blocks are zoned SF 5000. Development in the area consists of a variety of one, two and some three-story single-family houses of varying age and architectural style on a variety of lot sizes.

Proposal

The proposal is to subdivide two (2) parcels of land into three (3) parcels. Proposed lot areas are indicated in the summary above. Proposed parcels A, B and C will have direct pedestrian access to 25th Ave W. Vehicular access will be provided via the abutting sixteen (16) foot gravel alley off of W Armour St, which is not classified as an arterial street pursuant to SMC Chapter 23.53. The existing curbcut located on proposed parcel A is to be removed and the curb, sidewalk and planting strip is to be restored.

The subject of this analysis and decision is only the proposed division of land.

Public Comment

During the public comment period which ended June 2nd, 2004. DPD received one (1) written comment related to parking, traffic, city tax gains from the development and lack of related improvements.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, no short plat shall be approved unless all of the following facts and conditions are found to exist:

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*
6. *Is designed to maximize the retention of existing trees;*
7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*
8. *Conformance to the provisions of Section 23.24.046, multiple single-family dwelling units on a single-family lot, when the short subdivision is for the purpose of creating two (2) or more lots from one (1) lot with more than one (1) existing single-family dwelling unit.*

Based on information provided by the applicant, referral comments from the Drainage Section, the Geotechnical Examiner, the Fire Department, Seattle Public Utilities (City Light and the Water Department), and review by the Land Use Planner, the following findings are made with respect to the above-cited criteria:

1. *Conformance to the applicable Land Use Code provisions;*

The subject property is zoned for single-family residential with a minimum lot size of 5,000 square feet (SF 5000). The allowed use in a single family zone is one dwelling unit per lot, with accessory dwellings permitted within the principal structure in accordance with (SMC 23.44.041). Maximum lot coverage is 35%. Front setbacks are an average of the neighboring adjacent lots, or twenty (20) feet, which ever is less. The minimum side yard setback is five (5) feet. Minimum rear yard setback is twenty-five (25) feet or 20% of lot depth, if the lot is less than one-hundred twenty five feet (125') deep. The lots created by this proposed division of land will conform to all development standards of the SF 5000 zoning designation. The

proposed parcels meet the minimum lot size requirement of the zone and provide adequate buildable area to meet applicable yards, lot coverage requirements, and other Land Use Code development standards. Proposed parcel B will be subject to a nine (9) foot side yard easement agreement. This results in a non-development area on proposed parcel B in order to maintain the required 10' separation between the structure to remain on proposed parcel A and any new structure built upon proposed parcel B. This agreement will be on the final plat.

2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*

Proposed parcels A, B and C will have vehicle access to the adjacent sixteen (16) foot alley, which is in common usage but is not paved. Also, all said parcels will have direct pedestrian access to 25th Ave W. The Seattle Fire Department has no objection to the proposed short plat. All private utilities are available in this area. Seattle City Light provides electrical service to the proposed short plat. City Light has reviewed the proposal and does not require an easement. This short plat provides for adequate access for vehicles, utilities, and fire protection.

3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*

This area is served with domestic water, sanitary sewer, and stormdrain facilities by the City of Seattle. Availability of service is assured subject to standard conditions of utility extension. The short plat application has been reviewed by Seattle Public Utilities and a Water Availability Certificate was issued on May 18th 2004 (WAC ID No. 2004-0732).

SANITARY SEWER; Each of the existing houses located upon the proposed Short Plat are connected by means of a single sidesewer to a 8-inch public combined sewer (PS) located in 25th Ave W.

DRAINAGE; The PS is the appropriate point for stormwater discharge.

Prior to issuance of building permit;

SANITARY SEWER; The applicant or owner shall contact DPD Sidesewer and Drainage Counter, 684-5362, for sidesewer permit requirements.

Drainage; Stormwater detention, with controlled release to the PS in 25th Ave W is likely to be required for construction in excess of 2000sf developmental coverage. Plan review requirements will be made at time of building permit application in accordance with any applicable stormwater ordinances in effect at that time. If the project is greater than 5000sf new or replaced impervious surface, a comprehensive drainage control plan, prepared in accordance with SMC 22.802.015D and 22.802.020, may be required.

4. *Whether the public use and interests are served by permitting the proposed division of land;*

One objective of the short subdivision process is to increase opportunities for new housing development in order to ensure that there will be adequate capacity for future housing need. The proposed short subdivision will meet all the applicable Land Use Code provisions. The proposed development has adequate access for vehicles, utilities and fire protection, and has adequate drainage, water supply and sanitary sewage disposal. The public use and interest will be served with this proposal because additional opportunities for housing would be provided within the City limits as a result of this subdivision. The proposal will meet all applicable criteria for approval of a short plat upon completion of the conditions in this analysis and decision.

5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*

A small portion of the proposed subdivision is located in an environmentally critical area (Steep Slope Area), thus the subdivision is subject to the provisions of the Critical Areas Ordinance. Approximately 822 square feet of the project site is designated as a Steep Slope area. A steep slope exemption (MUP No. 2402824) was granted pursuant to (SMC 25.09.180 – D4) for the subject property and related steep slope area.

The exemption language states, “Limited Exemption is granted based on the submitted documents which noted that the existing ‘steep slopes’ at the site appeared to be less than 20 feet in height, created by previous grading activities, and not part of a larger ‘steep slope’ system. Further, the geotechnical reports by Associated Earth Sciences, Inc., dated April 12 and 26, 2004, demonstrated that granting the exemption will not result in adverse impacts on this site and adjacent site. In this respect, the ECA Steep Slope Development Standards (i.e., the threshold disturbance level of 30 percent of the Steep Slope Critical Areas) are waived for this development. All other ECA Submittal, General, and Landslide-Hazard, and applicable development standards will still apply for this development” (April 29, 2004).”

New construction on the parcel containing the steep slope areas will also be subject to the provisions SMC Chapter 25.09, Regulations for Environmentally Critical Areas. Grading and construction of any future structures will be reviewed during the building permitting stage and will be examined for conformance with all applicable requirements of the Land Use Code and the Environmentally Critical Areas Ordinance, as stated in the ECA exemption detailed above. Therefore, this proposed short subdivision is in conformance with applicable City of Seattle Regulations for development in Environmentally Critical Areas.

6. *Is designed to maximize the retention of existing trees;*

There are approximately nine (9) trees located upon the proposed parcels A, B and C. Most or all of these trees will not survive the building stage as most of the trees lay within or near the principal building areas. The nine trees range from six (6) to twelve (12) caliper inches and have an average caliper inch measurement of eight (8) inches. Seattle Department of Transportation staff performed a site visit and along with DPD review, it has been determined that there are no significant or exceptional trees located upon the proposed short plat. Future construction will

be subject to the provisions of SMC 23.44.008 which sets forth tree planting requirements on single family lots. Also, future construction permits will be subject to SMC 25.11 (Tree Protection Ordinance), which contemplates exceptional and significant tree protection.

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

This Short subdivision is not a unit subdivision. Thus, this section is not applicable to this short plat proposal.

8. *Conformance to the provisions of Section 23.24.046, multiple single-family dwelling units on a single-family lot, when the short subdivision is for the purpose of creating two (2) or more lots from one (1) lot with more than one (1) existing single-family dwelling unit.*

This Short Subdivision is not a multiple single-family dwelling unit subdivision. Thus, this section is not applicable to this short plat proposal.

DECISION - SHORT SUBDIVISION

The proposed short plat is **CONDITIONALLY GRANTED**.

ANAYLSIS - SEPA

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated September 23rd, 2004. The information in the checklist, a Geotechnical Report prepared by Associated Earth Sciences Inc., dated April 12th, 2004 (addendum April 26th, 2004), public comment, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision. Note that pursuant to SMC 25.05.908.B, the scope of the environmental review of the subject short subdivision is limited to:

1. Documenting whether the proposal is consistent with The City of Seattle Regulations for Environmentally Critical Areas, SMC Chapter 25.09; and
2. Evaluating potentially significant impacts on the environmentally critical area resources not adequately addressed in The City of Seattle Environmentally Critical Areas Policies or the requirements of SMC Chapter 25.09, Regulations for Environmentally Critical Areas, including

additional mitigation measures needed to protect the environmentally critical areas in order to achieve consistency with SEPA and other applicable environmental review laws.

The undersigned planner has analyzed the environmental checklist submitted by the project applicant; reviewed the project plans and the additional information in the file and any comments which may have been received regarding this proposed action have been considered. As indicated in the checklist, this action may result in impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

Codes and development regulations applicable to this proposed project will provide sufficient mitigation and no further conditioning or mitigation is warranted pursuant to the SEPA Overview Policy (SMC 25.05.665).

DECISION

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(2) (c).

CONDITIONS - SEPA

None.

CONDITIONS - SHORT SUBDIVISION

Prior to Recording

1. Have final recording documents prepared by or under the supervision of a Washington state licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown. Lot areas shall be shown on the plat. All existing structures, principal and accessory, shall be shown on the face of the plat, and their distances to the proposed property lines dimensioned.
2. Submit the final recording forms for approval and any necessary fees.

Prior to Issuance of a Building Permit

3. The owner(s) and/or responsible party(s) shall provide documentation to the DPD Planner (Lucas DeHerrera (206.615.0724) or Land Use Supervisor Cheryl Waldman (206.233.3861) that Puget Sound Clear Air Agency (PSCAA) has received all information necessary to assess and mitigate likely air impacts at least 10 days in advance of the demolition of any structures on site greater than 120 sq. ft.
4. A copy of this short subdivision shall be attached to all related building permit applications.
5. The existing curbcut located on proposed Parcel A be closed and restored. The related project and permit number(s) must be added to the plat.

Signature: _____ (signature on file) Date: September 30, 2004
Lucas DeHerrera, Land Use Planner
Department of Planning and Development
Land Use Services

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